

## **REMARKS**

These claim amendments are being carried out under 37 C.F.R. § 1.116, pursuant to *complying with any requirement of form expressly set forth in a previous Office Action*, and to *present rejected claims in better form for consideration on appeal*. Applicants request that the claims be entered into the file prior to Applicants' submission of the Appeal Brief.

Applicants have, in earlier responses, provided reasons why the pending claims are allowable. Consequently, Applicants once again request favorable reconsideration and allowance of the present application and all pending claims prior to filing the Appeal brief.

### **Present Status of Patent Application**

Upon entry of the amendments in this response, claims 42-61 remain pending in the present application. More specifically, claims 42, 48, 49, 52, 54, and 57 have been currently amended in response to Office Action objections. Claims 43-47, 50-51, 53, 55-56, and 58-61 have been previously presented.

#### **A. Claim Objections**

The Office Action indicates that claims 48, 49, and 53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which applicant regards as his invention. Specifically, in regards to claims 48 and 49, the Office Action states that the phrase "the stack" is ambiguous. The Office Action further states that, in claim 53, the phrase "the first layer" is ambiguous and lacking in antecedent basis.

#### **Response to Claim Objections**

Applicants have amended dependent claim 48 and the corresponding independent claim 42 to remove ambiguity in usage of the phrase "the stack."

Applicants have amended dependent claim 49 and the corresponding independent claim 42 to remove ambiguity in usage of the phrase "the stack."

Applicants have amended independent claim 52 to provide antecedent basis to the phrase "the first layer" in dependent claim 53.

Applicants have further carried out the following amendments to correct additional antecedent basis errors in the claims:

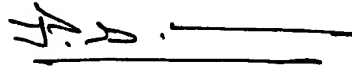
Dependent claim 54 has been amended to provide antecedent basis in usage of the phrase "the first layer" in claim 54.

Dependent claim 57 has been amended to provide antecedent basis in usage of the phrase “the first layer” in claim 57.

**CONCLUSION**

In light of the foregoing amendments, Applicant respectfully submits that all objections have been traversed, rendered moot, and/or accommodated, and that claims 42-61 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned at (770) 933-9500.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on

06-10-04

*Evelyn Sandeas*  
Signature